



**Oversight and Governance**

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## **MEMBERS' WRITTEN QUESTIONS**

Wednesday 1 March 2023

## **Members' Written Questions**

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# MEMBER'S WRITTEN QUESTION



Member submitting the question: Cllr Chaz Singh

Date received: 1/15/2023 6:09:22 PM

To the Cabinet Member for: Bill.Wakeham@plymouth.gov.uk

Question: Can you tell me how much in fines have been given out for flytipping in the Drake Ward in comparison to the costs for picking up flytipping in rear lanes etc where no fines have been implemented.

Answer:

Our Enforcement Team issue fines for both littering and flytipping which vary between £150 to £400 each and are attributed based upon the amount of waste they locate. Litter fines are issued where there are 4 bags or less and flytip fines are issued if it is bulky items or more than 4 bags as a general rule.

The officers work with Street Scene & Waste crews to identify evidence wherever possible. So far in the 2022/23 financial year to December 2022 they have issued fines totalling £1,600 in the Drake Ward and £50,800 for the entire city over the same period.

Our Street Scene & Waste budgets and disposal costs are not linked to Ward boundaries, without extensive analysis it would therefore not be possible to breakdown our costs on a Ward by Ward basis. However, our total costs for flytipping removal which includes the crew, vehicle, disposal and third party asbestos removal totals £110k for the 2022/23 financial year to date.

Please note these costs do not include the costs for the Enforcement Officers – they cover a wide range of enforcement activity and not just flytipping.

Signed:

Date: 30/01/2023

Councillor Bill Wakeham

## OFFICIAL

- will be replied to within 10 working days
- will be published on the last Friday of each month

**QUESTION BY COUNCILLOR**

**Question submitted by:** Councillor Chaz Singh

**To Cabinet Member:** Councillor Rebecca Smith, Cabinet Member for Strategic Planning, Homes and Communities

**Question:**

“Why was this application not referred to the planning committee?” This is in relation to the property at 51 Ridge Park Avenue. Something is clearly wrong here as the council put up all the yellow planning notices on the lamp posts for people to read and have the opportunity to object, twenty nine objections ignored seems wrong to me. Can you also tell me how this was missed out and that the residents are now upset with the way openness and transparency is with the Council. These are genuine concerns that have been raised by more than 29 residents.

**Response:** ( for completion by City Council officers and Cabinet Members)

The question relates to application 22/01870/FUL for ‘Change of use from dwelling house (Class C3) to a 4-bed HMO (Class C4) (retrospective)’ at 51 Ridge Park Avenue Plymouth PL4 6QB. The application was validated 06 December 2022 and Granted conditionally by Officers under delegated authority on 27 January 2023.

The Councils Constitution, Part E, Pages 78-80 set out the terms of reference for Planning Committee. Para 2.2.3 sets out the specific circumstances in which planning applications will be referred to planning committee for determination. The above application was not referred to planning committee for determination because it did not meet any of the specified criteria. While there were 29 letters of representation, this does not automatically refer the application to Planning Committee unless it is a Major Planning Application (+10 dwellings or 1000sqm floorspace). The item was not referred to planning committee by Ward Members or by the Service Director.

However, this does not mean that the public representations were ignored in the decision making process. The Officers Report provides a detailed analysis of the material planning matters raised by objectors and balances this against policy and all other material planning considerations before arriving at a recommendation. All documents related to the application are published on the Councils website and open for public viewing.

**Signed:**

**Dated:** 17 February 2023

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# MEMBER'S WRITTEN QUESTION



Member submitting the question: Mary Aspinall

Date received: 2/7/2023 12:17:38 PM

To the Cabinet Member for: Richard.Bingley@plymouth.gov.uk

Question: I note that according to information coming from the Local Government Association that "Traditional log burning stoves in people's homes which are in designated 'Smoke Control Areas' - most towns and cities - will now only be allowed to emit 3 grams (g) of smoke per hour, down from 5g, as part of government plans to reduce air pollution. Anyone found to be in breach could now be liable for an on-the-spot fine of up to £300 and even face criminal prosecution if they refuse to cut back their chimney smoke. " Please would the relevant Cabinet member advise me of the following - what plans have Plymouth City Council put in place to respond to this new legislation? - Which department will be responsible to monitor and prosecute breaches of this legislation? - will councillors be made aware of any prosecutions in their ward?

**Answer:**

Plymouth has no Smoke Control Areas.

It has not been judged to be necessary, mainly because the particulate levels (PM2.5) in Plymouth are already low, and have fallen, and there has not been judged to be an issue with substantial amounts of smoke from chimneys.

There are already powers to investigate and enforce against smoke emissions for chimneys or bonfires (etc) if it is judged to be a statutory nuisance under Part 3 of the Environmental Protection Act 1990. This is enforced through the Environmental Protection team.

The declaration of a Smoke Control Area does bring in additional rules, and therefore additional powers to enforce, however the experience of other local authorities appears to be that these additional powers are difficult to use to enforce.

We will not be planning to apply to be a Smoke Control Area.

Signed:

*Richard Bingley*

Date: 16 February 2023

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**QUESTION BY COUNCILLOR**

**Question submitted by: Councillor Chaz Singh**

**To Cabinet Member:** Councillor Jonathan Drean

**Question:**

*I have reported Stangray Avenue over the number of years for potholes. The road has deteriorated very badly. Could you tell me how much it has cost in repairs so far and in comparison how much it would cost if it was resurfaced?*

**Response:**

We have carried out 22 c/way repairs from 2018 to present costing £2,763.85 (in Stangray Avenue).

The cost to carry out 40mm plain and inlay resurfacing using SMA (PSV 55) including necessary TM, lining and gully cleaning would be approximately £55,000. This estimate is only for removing the surface course, the road may need to be excavated to 100mm (surface and binder) which could add an additional £20,000 to the estimate.

When a section of highway fails structurally we assess and resurface as funds are made available

**Signed:** Councillor Jonathan Drean

**Dated:** 21/02/2023

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**QUESTION BY COUNCILLOR**



**Question submitted by:** Councillor Chaz Singh

**To Cabinet Member:** Councillor Rebecca Smith, Cabinet Member for Strategic Planning, Homes and Communities

**Question:**

Can the Chair of Planning confirm the balance or threshold of student accommodation in residential areas in the ward of Drake?

**Response:** ( for completion by City Council officers and Cabinet Members)

There are no thresholds regarding the amount of student accommodation within Drake Ward, rather our Joint Local Plan (JLP) allocates a number of sites for student accommodation to support our higher education institutes and projected student housing needs over the plan period.


Within the JLP, Policy DEV11 imposes a threshold on the number of new houses in multiple occupation (HMOs) within the Article 4 Direction area (which includes Drake Ward), however, please note, there is no reference to student accommodation as the policy applies to all new HMOs within the Article 4 Direction area:

**Policy DEV11**

**Houses in Multiple Occupation in the Plymouth Article 4 Direction Area**

In order to support mixed and balanced communities and to ensure a range of housing needs continue to be accommodated in Plymouth's Article 4 Direction Area, the LPA will not support applications for Homes in Multiple Occupation unless:

1. The proportion of dwelling units in multiple occupation (including the proposed site) does not exceed 10 per cent of the total dwelling stock within 100 metres of the application site.
2. The application site does not sandwich a C3 dwelling unit between two HMO properties.



If required, guidance on JLP policy DEV11 is available in our Supplementary Planning Document from page 61:

<https://www.plymouth.gov.uk/sites/default/files/JLPSPD2020FINALred.pdf>.

Our records show there are 924 properties either with HMO licenses or occupied exclusively by students within Drake Ward (where a council tax exemption has been granted owing to 100% student occupation); this represents 16.5% of the total number of residential properties within Drake Ward (excluding purpose built student accommodation).

**Signed:**



**Dated:** 1 March 2023